

IC 8-23-3

Chapter 3. Federal Transportation Funds

IC 8-23-3-1

Application of chapter

Sec. 1. This chapter applies to the use of federal funds allocated to Indiana as follows:

- (1) From the Highway Trust Fund (23 U.S.C.).
- (2) From the Aviation Trust Fund (49 U.S.C.).
- (3) Through the Urban Mass Transit Administration (49 U.S.C. 1601 et seq.).
- (4) Other federal grants that have a transportation component.

As added by P.L.18-1990, SEC.212.

IC 8-23-3-2

Nonapplication of chapter

Sec. 2. This chapter does not apply to grants described in section 1 of this chapter applied for before July 1, 1981.

As added by P.L.18-1990, SEC.212.

IC 8-23-3-3

Departmental approval of grants

Sec. 3. An agency must submit to the department for the department's approval an application for a grant described in section 1 of this chapter.

As added by P.L.18-1990, SEC.212.

IC 8-23-3-4

Departmental action on grants

Sec. 4. The department shall do the following:

- (1) Review as soon as possible all applications for grants described in section 1 of this chapter.
- (2) Approve or disapprove those applications.

As added by P.L.18-1990, SEC.212.

IC 8-23-3-5

Duties of agencies

Sec. 5. An agency shall do the following:

- (1) Use a grant described in section 1 of this chapter only for the purposes set out and approved by the board in the grant application.
- (2) Report to the department all expenditures from a grant described in section 1 of this chapter.

As added by P.L.18-1990, SEC.212.

IC 8-23-3-6

Allotment of funds

Sec. 6. The budget agency shall only allot funds to an agency from a grant described in section 1 of this chapter for the purposes set out and approved by the department in the grant application.

As added by P.L.18-1990, SEC.212.

IC 8-23-3-7

Filing of approved grant applications; necessity of compliance

Sec. 7. (a) Each political subdivision shall file with the department, at times prescribed by the department, copies of approved applications for grants described in section 1 of this chapter along with a copy of the grant approval letter.

(b) If a political subdivision does not comply with subsection (a) after the department has made reasonable attempts to reach an agreement with that political subdivision to obtain compliance, the department may order the auditor of state to withhold from that political subdivision the subdivision's allotted distribution of state motor fuel tax revenues. The auditor of state shall comply with the department's order.

(c) When compliance with subsection (a) is obtained, the auditor of state shall release all funds withheld under subsection (b) upon receipt of an order from the department.

As added by P.L.18-1990, SEC.212.

IC 8-23-3-8

Public mass transportation fund; establishment; use

Sec. 8. (a) The public mass transportation fund is established for the purpose of promoting and developing public mass transportation in Indiana. The fund shall be administered by the department.

(b) The treasurer of state may invest the money in the fund in the same manner as other public funds may be invested.

(c) Money in the fund at the end of a fiscal year does not revert to the state general fund.

As added by P.L.18-1990, SEC.212. Amended by P.L.118-1995, SEC.1; P.L.173-2003, SEC.13.

IC 8-23-3-9 Repealed

(Repealed by P.L.2-1996, SEC.297.)

IC 8-23-3-10

Federal aid highways need; investigation

Sec. 10. (a) Investigations conducted by the department to determine the reasonably anticipated future need for federal aid highways and state highways may include the following:

- (1) Traffic surveys.
- (2) The study of transportation facilities.
- (3) Research concerning the development of the regions of Indiana and contiguous territory, including the effects of growth and changes in population and economic activity.
- (4) The collection and review of data relating to factors that affect the judicious planning of the construction, improvement, and maintenance of highways.

(b) An investigation conducted under subsection (a) may interrupt and stop traffic if necessary.

(c) An investigation conducted under subsection (a) may be conducted in cooperation with counties, municipalities, metropolitan planning organizations, the United States, other states, government agencies, or other persons.

(d) The department may enter into an agreement with an entity described in subsection (c) to conduct an investigation under subsection (a).

As added by P.L.81-1991, SEC.2.